

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MARK SANCHEZ and
PATRICK MARQUEZ,

Plaintiffs,

v.

Civ. No. 11-1021 KG/SCY

DEREK WILLIAMS, et al.,

Defendants.

ORDER ADOPTING PROPOSED FINDINGS AND RECOMMENDED DISPOSITION

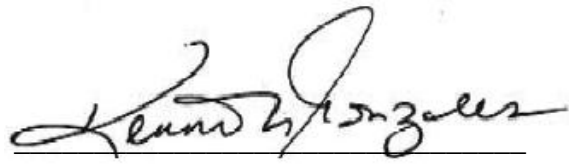
THIS MATTER is before the Court on the County Defendants' Motion to Dismiss for Failure to Prosecute (Doc. 92) and the Village of Bosque Farms and Los Lunas Defendants' Motion for Reconsideration (Doc. 91). On August 9, 2018, the Court referred this motion to United States Magistrate Judge Steven C. Yarbrough for entry of proposed findings and a recommended disposition. Doc 94.

On November 9, 2018, Judge Yarbrough entered his Proposed Findings and Recommended Disposition (PFRD). Doc. 97. Judge Yarbrough notified the parties that they had 14 days from the service of the PFRD to file any objections to the PFRD. *Id.* at 13. No party filed objections to the PFRD. The failure to make timely objections to the PFRD waives appellate review of both factual and legal questions. *United States v. One Parcel of Real Property*, 73 F.3d 1057, 1059 (10th Cir. 1996).

Further, upon review of the PFRD, I concur with Judge Yarbrough's findings and recommendations. **IT IS THEREFORE ORDERED** that:

1. the PFRD (Doc. 97) is adopted;
2. the County Defendants' Motion to Dismiss for Failure to Prosecute (Doc. 92) is **GRANTED** and all remaining claims against them are **DISMISSED**;
3. the Bosque Farms and Los Lunas Defendants' Motion for Reconsideration (Doc. 91) is **DENIED**; and
4. all remaining claims against the Bosque Farms and Los Lunas Defendants' are *sua sponte* **DISMISSED** pursuant to Rule 41(b).

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE